

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA  
Omaha Division**

BRANDON STRAKA,

Plaintiff,

v.

NBCUNIVERSAL MEDIA LLC, CHRIS  
HAYES and ARI MELBER,

Defendants.

Case No. 8:22-cv-00434

Hon. Joseph F. Bataillon

Pursuant to Fed. R. Civ. P. 12(b)(2), Defendants Chris Hayes (“Hayes”) and Ari Melber (“Melber”) (collectively, “Individual Defendants”) move to dismiss the Complaint of Plaintiff Brandon Straka for lack of personal jurisdiction.<sup>1</sup> Alternatively, the Individual Defendants, joined by Defendant NBCUniversal Media, LLC (“NBCU”), move to dismiss for improper venue pursuant to Fed. R. Civ. P. 12(b)(3). Finally, all Defendants alternatively move to transfer this action to the Southern District of New York (“SDNY”) pursuant to 28 U.S.C. § 1404(a). In support, the Individual Defendants submit their Brief in Support of Motion to Dismiss for Lack of Personal Jurisdiction, or in the Alternative, Joint Motion with NBCU to Dismiss for Improper Venue or Transfer contemporaneously herewith.

WHEREFORE, the Individual Defendants request that the Court enter an Order granting the their motion to dismiss for lack of personal jurisdiction, or in the alternative, with NBCU, an Order dismissing Plaintiff’s Complaint for improper venue or transferring the case to SDNY, and for such other and further relief as this Court may deem just and proper.

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<sup>1</sup> If the Court decides not to dismiss the Individual Defendants on personal jurisdiction grounds, they will join Defendant NBCUniversal Media LLC’s Motion to Dismiss pursuant to Fed.R.Civ.P. 12(b)(6).

Dated: March 22, 2023.

CHRIS HAYES, ARI MELBER, AND  
NBCUNIVERSAL MEDIA, LLC, Defendants,

By: /s/ Natalie J. Spears

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*Attorneys for Defendants NBCUniversal Media,  
LLC, Chris Hayes, and Ari Melber*

### **CERTIFICATE OF SERVICE**

The undersigned certifies that on March 22, 2023, I electronically filed the foregoing document with the Clerk of the U.S. District Court using the CM/ECF system which sent notification of such filing to all CM/ECF participants.

/s/ Natalie J. Spears

Natalie J. Spears